

Jan. 12, 2007 2:51PM Birnberg & Associates

No. 1648 P. 1

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4 Attorneys for Defendant
 5 ACE AMERICAN INSURANCE COMPANY

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 7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 AARON LORELL and PHILLIP
 11 MATTHEWS,

12 Plaintiffs,

13 v.

14 ACE AMERICAN INSURANCE
 15 COMPANY; ACE USA; ACE INA; DOES
 1 - 20, inclusive,

16 Defendants.

Case No.: C 06-06460 VRW

APPLICATION AND STIPULATION
 TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 [PROPOSED] ORDER;
 DECLARATION OF JAMES W.
 ALCANTARA IN SUPPORT
 THEREOF

Honorable United States District Chief
 Judge Vaughn R. Walker

Hearing Date: January 23, 2007

Hearing Time: 9:00 am

20 COME NOW Defendant ACE AMERICAN INSURANCE COMPANY (hereinafter
 21 referred to as "Defendant") and Plaintiffs AARON LORELL and PHILLIP MATTHEWS
 22 (hereinafter referred to collectively as "Plaintiffs") by and through their attorneys of record and
 23 hereby stipulate as follows:

24 RECITATIONS

25 WHEREAS an Order Setting Initial Case Management Conference and ADR Deadlines
 26 setting the Initial Case Management Conference to occur on January 23, 2007, at 9:00 a.m. was
 27 filed with this Court on October 16, 2006, and served on counsel for Plaintiffs via U.S. Mail on
 28 October 20, 2006;

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1 WHEREAS counsel for Defendant is a sole practitioner, admitted to practice in the State of
2 California;

3 WHEREAS counsel for Defendant has a case pending simultaneously in the United States
4 District Court, Central District of California entitled *Cardenas v. Insurance Company of North*
5 *America*;

6 WHEREAS in connection with the case entitled *Cardenas v. Insurance Company of North*
7 *America* counsel for Defendant has a calendar conflict in that he is scheduled to be defending
8 party/employee depositions in Philadelphia, Pennsylvania from January 22, 2007 to January 26,
9 2007;

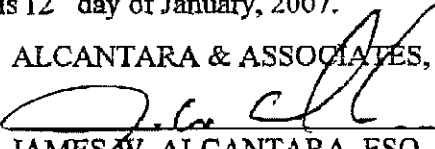
10 WHEREAS counsel for Plaintiffs has agreed to stipulate to a continuance of the Case
11 Management Conference in reference to the above-entitled action and counsel for both Plaintiffs
12 and Defendant have determined a mutually convenient date for rescheduling of such;;

13 Stipulation

14 In view of the foregoing, IT IS HEREBY STIPULATED AND AGREED, by and between
15 Plaintiffs and Defendant, by and through their undersigned counsel, subject to approval of this
16 Court, the Case Management Conference currently scheduled for January 23, 2007, shall be
17 continued to February 6, 2007, or as soon thereafter as the Court's calendar allows, and the related
18 deadlines as required by F.R.Civ.P. 26 and the Civil Local Rules of Court shall also be continued
19 accordingly.

20 RESPECTFULLY SUBMITTED this 12th day of January, 2007.

21 ALCANTARA & ASSOCIATES, APC

22 
JAMES W. ALCANTARA, ESQ.

23 Attorneys for Defendant
24 INSURANCE COMPANY OF NORTH AMERICA

25 BIRNBERG & ASSOCIATES

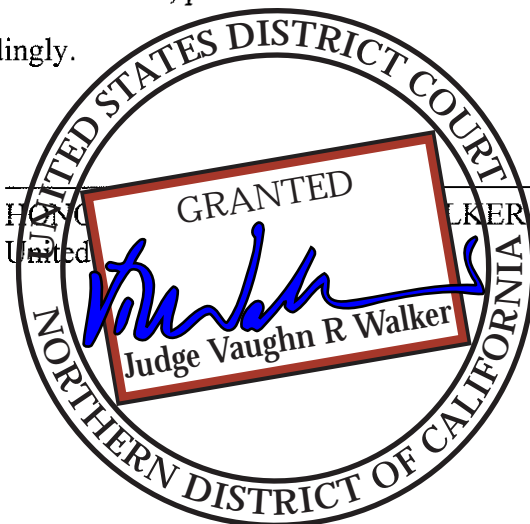
26 
CORY A. BIRNBERG, ESQ.

27 Attorney for Plaintiffs
28 AARON LORELL and PHILLIP MATTHEWS

~~PROPOSED~~ ORDER

Good cause appearing, IT IS HEREBY ORDERED the Case management Conference in the above-entitled action shall be continued to February 6, 2007, commencing at 9:00 a.m./p.m., and all related deadlines as set forth in the Court's original Order Setting Initial Case management Conference and ADR Deadlines, pursuant to F.R.Civ.P. 26 and the Civil Local Rules of Court, are continued accordingly.

Dated: January 22, 2007



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